

no. 30,525 Equity
Exhibit No. 17
Date 1/3/81

CERTIFICATE OF PUBLICATION

From THE NEWS-POST

Frederick, Md.

TRUSTEES' SALE

Pursuant to an order of the Circuit Court for Frederick County, Maryland, in No. 30,525 Equity, the below named Trustees will offer on the premises located on Apples Church Road, Route 2, Box 586, Thurmont, Maryland 21788, on

MONDAY, DECEMBER 29, 1980
AT 10:00 A.M.
REAL ESTATE

Real estate described as follows:

PARCEL NO. 1: All that piece or parcel of land situate in Thurmont Election District, along the public road leading from Apples Church to Graceham, beginning at the same at a white oak tree in the aforesaid public road, and running thence (1) S. 39° E. 39 ps; thence with Iza Young's land (2) N. 9° E. 5% ps; thence (3) N. 54° W. 9 ps; thence (4) N. 21½° W. 19.8 ps; thence (5) N. 51° E. 9 ps to Moller's Station Road; thence with said road (6) 78° E. 59.5 ps; thence (7) N. 15° W. 48.5 ps along the boundary fence of the John R. Stoner farm; thence still long said boundary fence, (8) N. 6½° W. 112.5 ps to a corner of land formerly owned by Michael Freeze, et al.; thence (9) N. 6½° W. 60 ps; thence (10) S. 80½° W. 30.5 ps; thence (11) N. 3° E. 13.4 ps; thence along a county road four courses as follows: (12) S. 27½° W. 5.4 ps; (13) S. 9½° W. 9.3 ps; thence (14) S. 18½° E. 12 ps; thence (15) S. 21½° W. 14.5 ps; thence (16) S. 4° W. 0.5 ps; thence (17) S. 14° W. 8 ps; thence (18) S. 65° W. 0.17 ps. to a county road; thence (19) S. 3½° E. 55.5 ps; hence (20) N. 72½° E. 14.5 ps; thence (21) N. 5° W. 6.85 ps; thence (22) S. 87° E. 5.8 ps; thence (23) N. 24½° E. 4.5 ps; thence (24) S. 34° E. 3 ps; thence (25) S. 13½° W. 0.8 ps; thence (26) S. 1½° E. 23.9 ps; thence (27) S. 9½° W. 12 ps; thence (28) S. 82½° W. 12.5 ps, along the Moller Station Road; thence along the Graceham Road, (29) S. 33½° E. 60 ps to the place of beginning; containing 153 acres of land, more or less.

SUBJECT, HOWEVER, to a right of way for the benefit of the lands now or formerly owned by William J. Stoner and M. Gertrude Stoner, his wife, adjoining the hereinabove described parcels and more particularly described as follows:

Beginning at the end of the 6th line of the above description, said point being on the Moller's Station Road and running thence along and on the west side of the 6th and 7th lines of the above described land, said right of way being 26.0 feet wide, with proper turn-out at Moller's Station Road, and 1168 feet long, and ending at the land or right of way entrance to the old John R. Stoner Farm.

AND FURTHER EXCEPTING AND RESERVING THEREOUT AND THEREFROM all that piece or parcel of land situate, lying and being in the District, County and State aforesaid, beginning for the same at a point on the east side of the County Road, said point being at the end of the 18th, or S. 65° W. 10.17 ps. line, described in a deed from Wm. J. Stoner, et ux, to Samuel T. Royer, Jr., et al, dated January 30, 1945 and recorded in Liber 446, Folio 201, one of the Land Records of the County aforesaid, and running thence by and with the east side of said road, S. 4° 15' W. 147.5 feet, thence S. 89° 11' E. 154 feet, thence N. 5° 04' E. 198 feet, thence S. 73° W. 167.8 feet to the place of beginning, containing 0.6 acres of land, more or less.

Being part of the same real estate described and conveyed in a deed from William J. Stoner, et ux unto Samuel T. Royer, Jr., et al, trading as Hillside Turkey Farms, dated January 30, 1945 and recorded in Liber 446, Folio 201, one of the Land Records of the County aforesaid.

PARCEL NO. 2: All those pieces or parcels of land situate in the District, County and State aforesaid, being part of a tract called "Profit and Loss", beginning at a large stone planted at the original tract called "Arnold's Delight", and running thence N. 86° W. 118 ps S. 59° W. 81 ps to a planted stone, N. 80° W. 76 ps to a stone, S. 12½° E. 58 ps to stone No. 4, S. 20° E. 14½ ps to stone No. 5; S. 85° E. 18 ps to stone No. 6, N. 20° W. 16 ps to stone No. 7; S. 89° E. 47½ ps to stone No. 8 N. 79° E. 20 ps to stone No. 9, S. 75° E. 72 ps to stone No. 10; S. 10° E. 60 ps to stone No. 11, N. 71° E. 18 ps to stone No. 12, S. 13° E. 6 ps to planted stone, N. 71° E. 60 ps to stone No. 14, N. 16° W. 25 ps to stone No. 15, N. 46° W. 40 ps to stone No. 16, N. 16° W. 40 ps to stone No. 17, then with a straight line to the beginning, containing 106 acres, more or less.

EXCEPTING AND RESERVING THEREOUT AND THEREFROM all that lot or parcel of land being part of the tract of land called "Profit and Loss" lying along the 1st line of the parcel thereof conveyed to John Yonson, and along the last line of a tract of land called the "Resurvey on Arnold's Delight", beginning at a stone planted at the original beginning of the aforesaid tracts in a public road, and running with bearings established in 1870, N. 88½° W. 49 ps to a planted stone, thence N. 69½° W. 25½ ps to intersect the original division line at a corner between the lands of Michael Crouse and David Troxell, thence with the original line, S. 83° E. 73½ ps to the place of beginning, containing 1½ acres, more or less, leaving 104 acres and 3 rods, more or less.

PARCEL NO. 3: All that part of a tract of land situate in the District, County and State aforesaid, called "Branksome Hall", being on the south side of the aforesaid tract, beginning for the same at a stone planted at the end of 28 ps on the 8th line of said land formerly owned by Elias Seiss, and running thence N. 48½° E. 26.7 ps to intersect the S. 75° E. 72 ps line at the end of 44.7 ps, thence with said tract aforesaid reversed, N. 75° W. 44.7 ps, S. 79° W. 20 ps, N. 89° W. 47½ ps, S. 20° E. 16 ps, N. 85° W. 11.2 ps, S. 21° E. 4.7 ps to a

planted stone, S. 86° F. 77½ ps to the beginning, containing 10 acres, 3 rods and 11 sq ps of land, more or less.

PARCEL NO. 4: All that part of said tract of land situate in the District, County and State aforesaid, called "Branksome Hall", beginning at the end of the 54th line of the whole tract and running N. 74° E. 18 ps, S. 10° E. 6 ps to a planted stone, S. 73° W. 18 ps to the land formerly owned by Samuel Rhodes and with it, N. 10° W. 6.4 ps, containing 112 sq ps. of land, more or less.

PARCEL NO. 5: All that piece or parcel of land situate in the District, County and State aforesaid, beginning for the same at a planted stone marked No. 5, standing at the end of the 4th line of a tract of land called "Profit and Loss", hereinbefore described and with the fifth line thereof running S. 85° E. 7 ps, thence S. 21° W. 4.7 ps to a stone, N. 88° W. 6.9 ps, N. 20° W. 5.1 ps to the place of beginning, containing 34 sq ps of land, more or less.

PARCELS NO. 2 to 5, inclusive, being the same real estate conveyed unto Samuel T. Royer, Jr., et al, trading as Hillside Turkey Farms, by Eugene S. Keefer, et ux, by deed dated September 29, 1945 and recorded in Liber 450, Folio 131, one of the Land Records of the County aforesaid.

PARCEL NO. 6: All that piece or parcel of land situate in the District, County and State aforesaid, beginning for the same at a stone planted at the side of the road at the entrance to the dwelling on the said land leading from the public road, (1) N. 2½° W. 19.8 ps, (2) N. 51° E. 29 ps, (3) S. 78° E. 59.1 ps, (4) S. 15° E. 7 ps, (5) S. 78° E. 40.5 ps, (6) N. 75° E. 56.5 ps, (7) S. 9½° E. 28.6 ps, (8) S. 18½° E. 20 ps, (9) S. 88½° E. 6.8 ps, (10) S. 20° E. 43 ps, (11) N. 80½° W. 211.6 ps, (12) N. 1½° E. 27.87 ps, variation corresponds with original bearings, containing 79 acres, 2 rods and 11 sq. ps of land, more or less.

It is understood that Parcel No. 5 lies within the boundaries of said Parcel No. 6.

Being all and the same real estate conveyed unto Roscoe T. Harbaugh, Jr. and Doris L. Harbaugh from Samuel T. Royer, Jr. and Louise G. Royer, his wife, Ross V. Smith and Pauline E. Smith, his wife, by deed dated October 12, 1959 and recorded in Liber 625, Folio 460, one of the aforesaid land records.

The aforesaid several parcels of land containing in the aggregate 348 acres and 38 sq ps of land, more or less.

The above parcels of land are improved with a barn, 8 stall milking parlor with attached dairy house and concrete walkway, loafing shed and many storage sheds, 2 story dwelling, 2 story frame dwelling, 2 story dwelling — exterior, overage condition, bank barn, other miscellaneous outbuildings.

SALE PROCEDURE: That the Trustees will offer the above parcels pursuant to an order of the Circuit Court for Frederick County and will be announced prior to sale. The above parcels total approximately 348 acres and 38 square perches of land, more or less. A diagram of the farm will be available on the date of sale for inspection.

TRUSTEES reserve the right to reject all bids.

INSPECTION: Upon contacting Dory Remsburg, telephone number (301) 473-8214.

POSSESSION: April 1, 1981 with the tenant, Roscoe T. Harbaugh, Jr. paying the sum of \$1,000.00 per month from the date of sale to April 1, 1981. Tenant reserves right to return to the farm to remove planted and growing crops.

TERMS: A deposit of Twenty Five Thousand (\$25,000.00) Dollars of the purchase money will be required of purchaser or purchasers at time and place of sale in cash or check acceptable to the Trustees and the balance of the purchase price within forty five (45) days after date of sale. All State and County taxes shall be adjusted to date of sale. All settlement costs, including documentary stamps and transfer tax will be paid by purchaser or purchasers.

LIVE STOCK AND DAIRY EQUIPMENT.

10:30 A.M.

The following livestock:

69 Holstein cows of milking age, 6 Holstein heifers, 6-12 months old; 9 Holstein heifers, started to 4 months; 8 Holstein heifers, 10-15 months old; 1 Purebred Holstein service age Bull; 2 Holstein baby calves; 24 Holstein heifers, 12-15 months old; 14 Holstein bred heifers, 15-28 months old, will be TB and Bangs tested before sale.

The following dairy equipment:

600 gallon Girton milk tank with A.O. Smith compressor; Surge vacuum milker pump; 6 Surge mini-cup 11 milkers; 6 DeLeval 65 lb. weigh jars; glass pipeline and receiver jar; water heater; two space heaters and Booster pump and water tank.

POSSESSION: Shall be on the 31st day of March, 1981.

INSPECTION: On morning of sale.

TERMS: Cash on day of sale. No property to be moved until settlement has been made with Clerk. Number system will be used. Not responsible for accidents on premises.

ORDER OF SALE: Real estate, livestock and dairy equipment.

FRANKLIN D. STILLRICH

EDWIN F. NIKIRK, II

AMOS A. HOLTER

Trustees

Rombsburg Sale Service
Jefferson, Maryland
Lunch provided by Apples Church Guild

Frederick, Md. Dec. 30, 1980

This is to certify that the annexed Trustees Sale was published in *News-Post* newspaper published in Frederick County on the following dates: Dec. 13, 20, 27, 1980

THE NEWS-POST

Filed Jan. 13, 1981
Per *Debra K. Pond*